

Decision No. 31529

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
SIERRA RAILROAD COMPANY, a corporation,)	
for a certificate to operate bus service)	Supplemental
for the transportation of passengers,)	Application
baggage and express between Stockton,)	No. 21400
Tuolumne and intermediate points.)	

DOUGLAS BROOKMAN, for applicant.

ORIGINAL

WEITSELL, COMMISSIONER:

FIRST SUPPLEMENTAL ORDER

By this supplemental application Sierra Railroad Company, a corporation, seeks an amendment to its certificate of public convenience and necessity as heretofore granted by Decision No. 30376, dated May 23, 1938, so as to permit applicant to render service to and from the business districts of Sonora and Jamestown in addition to the presently authorized operation to and from the rail depots of applicant in said communities to which Sierra Railroad Company's service is now restricted under the currently held certificate referred to above.

(1)
A public hearing in this matter was had in San Francisco on Friday, November 25, 1938, where testimony was taken, evidence received, the matter submitted, and it is now ready for decision.

No protests to the granting of this application were received.

W. A. Wenneson, superintendent of Sierra Railroad Company, testified that his company had, since the inception of its service on September 1, 1938, been serving only the rail depots at Sonora

(1) Before Examiner McGottigan.

and Jamestown pursuant to the operating authority granted by the Commission. He further testified that these rail depots are located approximately one-quarter of a mile off his company's main highway route which passes directly through the business districts of Sonora and Jamestown applicant now seeks to serve. It was his further testimony that because of the "off line" location of these depots patrons of his company are considerably inconvenienced and cannot be afforded, under the existing restriction, as adequate and sufficient a service as could be rendered were the instant application granted.

The witness further stated that he had received numerous requests from members of the traveling public, merchants and civic bodies for the change in operation proposed herein. A number of organizations, including the Tuolumne County Board of Supervisors, Sonora Lions Club, Tuolumne County Chamber of Commerce, the Jamestown Improvement Club, and the City of Sonora, addressed letters directly to the Commission supporting and advocating the service change proposed by applicant. The letters referred to were made a part of this record by reference.

According to the testimony of the witness Wenneson, no change in rates or fares is proposed, no schedule changes are contemplated and service is to be maintained to the rail depots as required. It was further agreed that, except for the specific authority sought herein, Decision No. 30876 would remain unchanged and in full force and effect.

The record in this proceeding is definitely indicative that the people of Sonora, with a population of approximately 3500, and Jamestown with an approximate population of 500, have been

subjected to inconvenience by reason of their having to travel to and from the rail depots of Sierra Railroad Company in their respective communities in order to avail themselves of the carrier facilities of the company. This fact is made doubly apparent when it is considered that the main traveled route of the carrier takes it directly through the business districts of the communities affected.

The proposal of this applicant appears to be in the public interest and no protest having been made the application of Sierra Railroad Company will be granted.

FIRST SUPPLEMENTAL ORDER

IT IS HEREBY ORDERED that Decision No. 30876 be and it is hereby amended to provide that Sierra Railroad Company may establish service to and from the business districts of Sonora and Jamestown in addition to its rail depot service as now rendered by eliminating therefrom the following condition now appearing on page nine of the typewritten copy of the decision as above referred to,

"3. Between Oakdale and Tuolumne (both points inclusive) and intermediate points, applicant shall serve only its established rail depots."

and substituting therefor the following condition,

3. Between Oakdale and Tuolumne (both points inclusive) and intermediate points, other than Sonora and Jamestown, applicant shall serve only its established rail depots; as to the points Sonora and Jamestown, applicant shall maintain service to its rail depots on demand,

provided that applicant shall file on at least five (5) days' notice

to the Commission and the public a time schedule, in duplicate, showing the service herein authorized.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at Los Angeles, California, this 5th day of December, 1938.

Ray L. Riech

Frank C. Allen

Ray L. Riech

COMMISSIONERS